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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 CARI OLSON,

12 Plaintiff,

13 vs.

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18 GMAC MORTGAGE, LLC and DOES 1  
19 through 10, Inclusive,

20 Defendant.  
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CASE NO. 11 CV 1326 MMA (WMC)

**ORDER GRANTING JOINT MOTION  
TO REMAND**

[Doc. No. 11]

**DENYING DEFENDANT'S MOTION  
TO DISMISS AS MOOT;**

[Doc. No. 5]

**DENYING PLAINTIFF'S MOTION  
FOR LEAVE TO FILE A SECOND  
AMENDED COMPLAINT AS MOOT;**

[Doc. No. 8]

**DENYING PLAINTIFF'S MOTION TO  
REMAND AS MOOT**

[Doc. No. 9]

24 Defendant GMAC Mortgage, LLC removed this matter from the Superior Court of the State  
25 of California, County of San Diego and promptly thereafter filed a Motion to Dismiss Plaintiff Cari  
26 Olson's complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6).  
27 [Doc. No. 5]. In response, Plaintiff filed a motion for leave to file a second amended complaint and  
28 a motion to remand to state court. [Doc. Nos. 8, 9.] On July 21, 2011, while the three

1   aforementioned motions were pending, the parties filed a Joint Motion to remand this matter to state  
2   court.

3           Upon due consideration, and good cause appearing, the Court **GRANTS** the parties' Joint  
4   Motion and **REMANDS** this case to the Superior Court of the State of California, County of San  
5   Diego (case number 37-2009-00060848-CU-OR-NC). Each party shall bear its own fees and costs  
6   in connection with this removal.

7           **IT IS FURTHER ORDERED** that Defendant's motion to dismiss the complaint [Doc. No.  
8   5], Plaintiff's motion for leave to file a second amended complaint [Doc. No. 8], and Plaintiff's  
9   motion to remand [Doc. No. 9], are **DENIED AS MOOT**. The Clerk of Court is instructed to  
10   terminate the case file.

11           **IT IS SO ORDERED.**

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13   DATED: July 21, 2011



Hon. Michael M. Anello  
United States District Judge